



MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Sachi A. Hamai, Executive Officer-
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

At its meeting held October 23, 2007, the Board took the following action:

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Dave Lambertson, Director of Internal Services, Paul McCarthy, Supervisor, Department of Regional Planning, and William T Fujioka, Chief Executive Officer, presented the attached report regarding the efforts to improve energy efficiency and combat global warming, as well as the County's efforts to consider global warming as part of its General Plan update.

Terra Donlon, Building Industry Association, also addressed the Board.

After discussion, Supervisor Burke made the following statement:

"The Green Building Report lays out a comprehensive strategy for improving energy efficiency and combating global warming. Specifically, it categorizes the County's programs and implementation measures into four distinct categories: an Energy and Water Efficiency Program, a Green Building/LIDS program, an Environmental Stewardship Program, and a Public Education and Outreach Program. These four components will hopefully provide the County with an integrated strategy for maximizing our ability to comply with State guidelines for greenhouse gas emissions as set forth in Assembly Bill (AB) 32. Furthermore, these policies need to be articulated within the General Plan.

"This plan comes concurrently as the County works with our State counterparts to frame legislation, regulation and programs to determine how best to inventory our green house gas emissions reductions to comply with AB 32. The County must enact a strategy for monitoring, measuring and assessing the effectiveness of the Green Building plan being set forth to ensure that the steps we are taking are appropriately guiding us in meeting these benchmarks being set forth."

Therefore, Supervisor Burke made a motion that the Board:

1. Instruct the Chief Executive Officer (CEO) to report back to the Board on April 15, 2008, on:
 - The methodology that will be used to initiate the calculation of the quantifiable savings and effectiveness of these policies and action plans as they relate to satisfying the goals of AB 32; and

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- What steps are in place, and being taken, to ensure that the ordinance and/or programs and accompanying green building guidelines and checklists are designed as “living documents” so they can be periodically and easily updated (as needed) to address changes in technology and available information; and
2. Instruct the CEO to report back on a quarterly basis, beginning August 15, 2008, on the impact of these established policies and action plans, as measured by the aforementioned methodology, in satisfying the goals of AB 32.

Further, Supervisor Burke made the following statement:

“The Green Building report acknowledges the need for Los Angeles County to continue to revamp our procurement policies to incorporate green purchasing standards. Moving forward, it is important that the procurement policy set forth a specific inclusion of ‘green’ technology. As endorsed by our Chief Information Officer, the Electronic Products Environmental Assessment Tool (EPEAT) is a categorization system for environmentally friendly computing products that are recognized by the Environmental Protection Agency. This tool allows purchasers to evaluate, compare and select desktop computers, notebooks and monitors based on their environmental attributes. EPEAT evaluates electronic products in relation to 51 environmental criteria, and ranks products according to three tiers of environmental performance - Bronze, Silver, and Gold.

“Los Angeles County is one of the largest purchasers of technology within Southern California. Attention should be placed on the opportunity to green this segment of our operations.”

Therefore, Supervisor Burke made a motion that the Chief Executive Officer, in coordination with the Director of Internal Services and Chief Information Officer, be instructed to report back within 45 days on the feasibility of requiring that all requests resulting from the solicitation and acquisition of any desktop, laptop or other types of office computing product should reflect the requirement to be EPEAT (Electronic Products Environmental Assessment Tool) compliant in, at minimum, the Bronze environmental performance ranking.

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The following statement was read into the record for Supervisors Yaroslavsky and Molina:

“Southern California faces a number of critical environmental challenges that the Board of Supervisors must help address. First, the County’s beaches, which form one of our greatest natural amenities, face an ongoing challenge of unhealthy water quality stemming—at least in part—from urban storm water runoff. Second, the State faces energy crises every summer and the Nation as a whole is too reliant on expensive and heavily polluting fossil fuels. Further, our region is in the middle of one of the driest years in recorded history and is now threatened with additional reductions in our imported water supply as a result of judicial actions in northern California. Together, these environmental hazards not only necessitate action by the Board of Supervisors as a public policy mandate, the consequences of not proactively taking measures to improve energy efficiency, reduce stormwater pollution, and conserve water could have profoundly negative economic, fiscal, and regulatory requirements on this County.

“At the request of the Board of Supervisors, the Departments of Public Works, Regional Planning, County Counsel, and Internal Services have therefore developed a comprehensive sustainability report accounting for the important steps that the County has already taken to address these environmental problems. Their report additionally provides policy recommendations to develop green building and Low-Impact Development (LID) standards for all unincorporated areas of the County and, in the case of LID, for new public works projects undertaken by the County.

“While the LID recommendations contained in the report are general, the County should consider a menu-based approach (similar to that adopted for many green building standards) in developing a LID requirement for private development. This could encourage property owners and builders to choose the most cost-effective and site-appropriate LID mechanisms for any given development project. At the same time, the County should also carefully consider how new LID standards would be applied to urban infill or redevelopment projects in such a way as to promote good urban design and encourage appropriate residential densities in urbanized areas of the County.

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“With these policy considerations in mind, the County should continue its past efforts to address these critical environmental issues and adopt the staff recommendations to develop ordinances that would implement green building and LID best management practices in new developments within the unincorporated County of Los Angeles.”

Therefore, Supervisors Yaroslavsky and Molina made a recommendation that Supervisor Burke’s motion be amended to adopt the Directors of Public Works, Planning, and Internal Services, and County Counsel’s recommendations with the following modifications:

1. Prepare and submit within 90 days ordinances addressing green building and Low-Impact Development (LID) standards to the Regional Planning Commission and any other appropriate body that are reflective of the staff recommendations contained in today’s report as well as the Board’s discussion of this issue;
2. In addition to the recommended LID provisions for discretionary projects, add provisions addressing LID requirements for nondiscretionary developments in the draft ordinance submitted to the Regional Planning Commission;
3. Incorporate LID standards into Public Works Road and Flood Design and Maintenance Manuals as soon as practicable but no later than December 2009;
4. Conduct outreach with property owners associations and town councils, building industry representatives, utilities, and environmental groups, prior to submitting the draft ordinance to the Regional Planning Commission;
5. Prepare a cost-benefit analysis of the various LID requirements that will be included in the draft ordinance prior to its submittal to the Regional Planning Commission; and
6. In order to address water and energy efficiency measures as a coherent policy action, incorporate the Board’s previously requested drought-tolerant landscaping ordinance into the aforementioned draft ordinance that is to be submitted to the Regional Planning Commission within 90 days.

Supervisor Burke accepted Supervisors Yaroslavsky and Molina’s amendment.

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The following statement was entered into the record for Supervisors Antonovich and Knabe:

“Before the County adopts new green building and Low-Impact Development Standards, it is important that staff and the Regional Planning Commission assess the impacts upon individual property-owners and future home-buyers.

“Securing approvals and permits from various County agencies for a single-family dwelling on an existing legal lot can be an intimidating process, especially for a home owner seeking to modify owner-occupied property for personal use. The combination of multiple separate filing and review fees, as well as charges from engineers and architects, often exceed \$20,000 for one home. If a lot split is involved, combined fees between \$50,000 and \$100,000 are not uncommon. The entire review process, from submittal of a parcel map application to issuance of a building permit, often takes more than 2 years. Before the County adopts additional standards relative to green building or Low-Impact Design, we must take into account the impacts upon property-owners attempting to build smaller, modest projects, especially new housing.

“The cost of housing in Los Angeles County is amongst the highest in the Nation. As the price of housing escalates, the dream of owning a home becomes more and more distant to greater segments of the community. While the cost of real property is largely beyond the County’s control, the application/review fees and development standards that the County imposes bear directly upon the cost of new housing. It is therefore important that the County assess the economic impacts of any decision relative to green building and Low-Impact Development Standards.”

Therefore, Supervisors Antonovich and Knabe made a recommendation that Supervisor Burke’s motion be further amended to instruct the Directors of Public Works, Planning, and Internal Services, and County Counsel to amend their recommendations to also:

1. Direct the Regional Planning Commission to evaluate the economic impacts upon property-owners of small, nondiscretionary projects, particularly owners of an individual lot attempting to construct a single-family dwelling for their personal use, of all proposed green building and Low-Impact Development Standards;

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2. Direct the Regional Planning Commission to evaluate the economic impacts upon property-owners of smaller projects that require a discretionary approval--including projects subject to a plot plan review, Director's Review, Community Standards District modification, Minor Conditional Use Permit, parcel maps, and similar projects that are less impacting upon existing communities--of all proposed green building and Low-Impact Development Standards; and
3. Direct the Chief Executive Officer to prepare a cost-benefit analysis of any proposed green building and Low-Impact Development Standards to quantify the additional costs of such standards upon future home-buyers.

Supervisor Burke accepted Supervisors Antonovich and Knabe's amendment and requested that the report back include a review on the advisability of exempting single-family owners prior to the proposal's final review in 2010. Supervisors Antonovich and Knabe accepted Supervisor Burke's recommendation.

Supervisor Antonovich further requested that Supervisor Burke's motion be amended to include, in the 45-day report back, any information about additional costs or savings. Supervisor Burke accepted Supervisor Antonovich's amendment.

After further discussion, on motion of Supervisor Burke, seconded by Supervisor Yaroslavsky, unanimously carried, the Board took the following actions:

1. Instructed the Chief Executive Officer (CEO) to report back to the Board on April 15, 2008, on:
 - The methodology that will be used to initiate the calculation of the quantifiable savings and effectiveness of these policies and action plans as they relate to satisfying the goals of AB 32; and
 - What steps are in place, and being taken, to ensure that the ordinance and/or programs and accompanying green building guidelines and checklists are designed as "living documents" so they can be periodically and easily updated (as needed) to address changes in technology and available information; and
2. Instructed the CEO to report back on a quarterly basis, beginning August 15, 2008, on the impact of these established policies and action plans, as measured by the aforementioned methodology, in satisfying the goals of AB 32;

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3. Instructed the CEO in coordination with the Director of Internal Services and Chief Information Officer, to report back within 45 days on the feasibility of requiring that all requests resulting from the solicitation and acquisition of any desktop, laptop or other types of office computing product should reflect the requirement to be Electronic Products Environmental Assessment Tool (EPEAT) compliant in, at minimum, the Bronze environmental performance ranking, and on any additional costs or savings;
4. Adopted the Directors of Public Works, Planning, and Internal Services, and County Counsel's attached recommendations with the following modifications:
 - Prepare and submit within 90 days ordinances addressing green building and Low-Impact Development standards to the Regional Planning Commission and any other appropriate body that are reflective of the staff recommendations contained in today's report as well as the Board's discussion of this issue;
 - In addition to the recommended LID provisions for discretionary projects, add provisions addressing LID requirements for nondiscretionary developments in the draft ordinance submitted to the Regional Planning Commission;
 - Incorporate LID standards into Public Works Road and Flood Design and Maintenance Manuals as soon as practicable but no later than December 2009;
 - Conduct outreach with property owners associations and town councils, building industry representatives, utilities, and environmental groups, prior to submitting the draft ordinance to the Regional Planning Commission;
 - Prepare a cost-benefit analysis of the various LID requirements that will be included in the draft ordinance prior to its submittal to the Regional Planning Commission;
 - In order to address water and energy efficiency measures as a coherent policy action, incorporate the Board's previously requested drought-tolerant landscaping ordinance into the aforementioned draft ordinance that is to be submitted to the Regional Planning Commission within 90 days;

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- Direct the Regional Planning Commission to evaluate the economic impacts upon property-owners of small, nondiscretionary projects, particularly owners of an individual lot attempting to construct a single-family dwelling for their personal use, of all proposed green building and Low-Impact Development Standards;
- Direct the Regional Planning Commission to evaluate the economic impacts upon property-owners of smaller projects that require a discretionary approval--including projects subject to a plot plan review, Director's Review, Community Standards District modification, Minor Conditional Use Permit, parcel maps, and similar projects that are less impacting upon existing communities--of all proposed green building and Low-Impact Development Standards;
- Direct the Chief Executive Officer to prepare a cost-benefit analysis of any proposed green building and Low-Impact Development Standards to quantify the additional costs of such standards upon future home-buyers; and
- Include a review on the advisability of exempting single-family owners prior to the proposal's final review in 2010.

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Attachment

Copies distributed:

Each Supervisor
Chief Executive Officer
County Counsel
Chief Information Officer
Director of Internal Services
Director of Planning
Director of Public Works
Chairperson, Regional Planning Commission